



COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

Ninth Street Office Building / 8th Floor
202 North Ninth Street
Richmond, Virginia 23219-3402
(804) 692-3200 FAX (804) 692-3237
www.dmme.virginia.gov

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Contact: Mike Abbott (276) 523-8146

All Coal Mining Rule Amendments Related to Inman Fatality Now Effective

Richmond, VA - All coal mining law and regulation amendments called for in House Bill 2573 in response to last year's tragic death of three-year old Wise County resident, Jeremy Davidson, are now effective. The bill passed unanimously in the House of Delegates and the Senate and was signed into effect by Governor Mark Warner on February 10, 2005. The bill amended the Virginia Coal Mine Safety Act and the Virginia Coal Surface Mining Control and Reclamation Act. Effective August 9, 2005, the Department of Mines, Minerals and Energy (DMME) promulgated the emergency regulations called for in the bill.

Changes to the Mine Safety Act required ground control plans to ensure the safety of persons in residences, roadways, and other areas. The plans must also explain how residents or occupants of buildings located down the slope from a mine will be notified and protected when ground-disturbing activities will take place above them. Revised ground control plans were required to be submitted by mine operators to DMME by April 15, 2005.

Changes to the Coal Surface Mining Control and Reclamation Act govern coal mine permit boundary markers and seismic monitoring of blasting operations. These rule changes become effective on August 9, 2005. The federal Office of Surface Mining and Reclamation Enforcement is anticipated to also approve these rules changes soon.

Although not related to the fatal accident, coal mine blasting operations have historically been the most frequent area of complaints from citizens living near coal surface mines. In response to these concerns, House Bill 2573 directed DMME to promulgate amendments to blasting regulations that now require seismic monitoring by the mine operator of all blasts occurring within 1,000 feet of a private dwelling or other occupied building. This regulation also became effective on August 9, 2005.

In addition, DMME recommended that the National Academy of Sciences study ways to minimize the adverse public effects of blasting. Governor Warner has met with Virginia's congressional delegation concerning the study, and DMME is working with the National Academy of Sciences to implement this recommendation.

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